

REMARKS

This responds to the Office Action mailed on December 19, 2005, and the references cited therewith.

Claims 1, 5-7, 16, 22, 50, 54, 61, 62, 65, 67, 71, 79-81, 83, 87 and 89 are amended, claims 73-78 and 82 are canceled herein (claims 2, 17-19, 27, 32, 34-39, 58 and 64 were previously canceled), and no claims are added; as a result, claims 1, 3-16, 20-26, 28-31, 33, 40-57, 59-63 and 65-72, 79-81 and 83-90 are now pending in this application.

The specification has been amended to correct typographical errors. No new matter has been added as a result.

The amendments made herein have been to clarify the claims and are not intended to limit the scope of equivalents to which any claim element may be entitled. The amendments to the claims have support throughout the specification and in the claims, including for example, on pages 12, 13, 20 and in FIG. 1A (e.g., claim 1) and FIG. 1B (e.g., claim 16). No new matter has been added as a result. Applicant respectfully requests reconsideration of the above-identified application in view of the amendments above and the remarks that follow.

The claims are directed to internally tufted laminates and absorbent sheets comprising internally tufted laminates. The internal tufts can be present on one inner layer as in claims 1 and 16 or on at least two layers as in claims 5, 22, 50, 54, 83 and 87 or on two layers as in claim 65. The at least two layers can be located between at least two outer layers as in claims 6, 22, 84 and 88. The two layers of tufted material in claim 65 can be located between two outer layers as in claim 72. The internally tufted laminates comprising at least two layers or two layers include opposing projections or tufts.

Claim Terminology

Applicant notes that the Examiner has stated throughout the Office Action how certain terms are being interpreted. Applicant, however, reserves the right to point out different shadings or even different interpretations of those terms during prosecution of the patent application.

For example, Applicant uses the terms “projection” and “tuft” in the claims. The Examiner has equated these terms with a “pleat” as shown in Raidel, which Raidel equates with “fold.” (See, for example, Raidel at col. 9, lines 55-64, “folds 110”). Applicant respectfully submits that a “tuft” or projection” as recited herein is not a “pleat” or “fold.”

Claim terms defined in the specification are to be interpreted as defined in the specification. When a claim term is not defined in the specification that term should be read as it would be interpreted by one skilled in the art. As noted in the MPEP, “When not defined by applicant in the specification, the words of a claim must be given their plain meaning. In other words, they must be read as they would be interpreted by those of ordinary skill in the art.

Rexnord Corp. v. Laitram Corp., 274 F.3d 1336, 1342, 60 USPQ2d 1851, 1854 (Fed. Cir. 2001) (explaining the court's analytical process for determining the meaning of disputed claim terms); Toro Co. v. White Consol. Indus., Inc., 199 F.3d 1295, 1299, 53 USPQ2d 1065, 1067 (Fed. Cir. 1999) (“[W]ords in patent claims are given their ordinary meaning in the usage of the field of the invention, unless the text of the patent makes clear that a word was used with a special meaning”). MPEP 2111.01.

Although, during examination the claims must be interpreted as broadly as their terms reasonably allow, that interpretation must be tempered by the context in which the term is used. The court in Hyatt stated that “during examination proceedings, claims are given their broadest reasonable interpretation consistent with the specification.” In re Hyatt, 211 F.3d 1367, 1372, 54 U.S.P.Q.2D (BNA) 1664, 1667 (Fed. Cir. 2000) (emphasis added). (“During examination proceedings, claims are given their broadest reasonable interpretation consistent with the specification,” citing In re Graves, 69 F.3d 1147, 1152, 36 U.S.P.Q.2D (BNA) 1697, 1701 (Fed. Cir. 1995); In re Etter, 756 F.2d 852, 858, 225 U.S.P.Q. (BNA) 1, 5 (Fed. Cir. 1985) (en banc).).

One should always, therefore, turn to the specification for nuances in the definition of the claim term, since it is the context in which the term is used that informs those skilled in the art as to the meaning of a term. In the present case, the specification has used the terms “tuft” and “projection” and “protrusion” interchangeably. See, for example, specification at page 20, lines 12-13. The specification further states that, “The length or height 520 of each tuft 506B is measured as the distance from the peak of the tuft 506B to a base 509B formed by the plane

defined by a valley 507B *surrounding the peak.*" (emphasis added). See specification at page 20, lines 1-3.

Even standard dictionary definitions make it clear that the common and ordinary meaning of the terms "protrusion" or "projection" reflect the meaning intended in the specification. See, for example, <http://www.onelook.com> (Quick Definition Section) which defines a "protrusion" as "something that bulges out or is protuberant or projects from a form." Merriam-Webster's Online Dictionary, 10th Edition at <http://www.m-w.com/cgi-bin/dictionary?book=Dictionary&va=projection> lists synonyms of "projection" as including "protrusion" and "protuberance," not "fold" or "pleat."

In sharp contrast, Merriam-Webster's Online Dictionary, supra, defines a pleat as "a fold in cloth made by doubling material over on itself." Again, Raidel refers to its corrugated web as containing "pleats" or "folds," not "protrusions." Indeed, the term "corrugated" means "shaped into alternating parallel grooves and ridges" See www.onelook.com, supra (Quick Definition Section) and the various Figures and descriptions of Raidel.

Clearly, those skilled in the art would understand that a "tuft" or "projection" is not the equivalent of a "pleat" or "fold" as shown in Raidel. For example, the valleys in Raidel cannot "surround" the longitudinal folds of Raidel as do valleys of a projection, but instead are present only on opposing sides of the folds to form "channels."

The Examiner has tacitly taken Official Notice that the art accepts her meaning or interpretation of the term. Pursuant to MPEP 2144.03, Applicant requests the Examiner either demonstrate that one of ordinary skill in the art would construe "pleat" from the art to be a "tuft" or "projection" as recited in the claims by providing an affidavit or other documentary evidence or withdraw this assertion.

§102 Rejection of the Claims

Claims 1, 5-7, 11-16, 22, 33, 50-57, 59, 63, 65-67, 71-75 and 79-86

Claims 1, 5-7, 11-16, 22, 33, 50-57, 59, 63, 65-67, 71-75 and 79-86 were rejected under 35 U.S.C. § 102(b) for anticipation by Raidel et al. (WO 9/00625). Claims 73-75 and 82 have been canceled, thus rendering this rejection moot as to these claims.

The Office Action asserts that Raidel teaches various elements of the claims.

Applicant respectfully submits that the Examiner has not established a *prima facie* case of anticipation of the present claims. Anticipation under 35 USC § 102 requires the disclosure in a single prior art reference of each element of the claim under consideration. In re Dillon, 919 F.2d 688, 16 USPQ 2d 1897, 1908 (Fed. Cir. 1990) (en banc), cert. denied, 500 U.S. 904 (1991). It is not enough, however, that the prior art reference discloses all the claimed elements in isolation. Rather, A[an]ticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, *arranged as in the claim*. Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing Connell v. Sears, Roebuck & Co., 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added). “The *identical invention* must be shown in as complete detail as is contained in the ... claim.” Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); MPEP § 2131 (emphasis added).

Raidel discusses an absorbent article comprised of a single corrugated web which is elastic at least in the traverse direction. The corrugated configuration can also be located on outside surfaces. Grooves 121 between the folds 110 at the outside thereof and the tubes 122 extending beneath the folds 110 between the bonded valley portions 116 form channels or valleys for distributing body fluids in the longitudinal direction. (col. 10, lines 28-33).

In contrast, claim 1, as amended, recites one inner layer of tufted material having a plurality of projections, each of the plurality of projections surrounded by a valley and located between at least two outer layers of tufted material. Also in contrast, claim 16, as amended, recites, in part, an inner layer of . . . bondable projections each having an interior, the bondable projections each surrounded by a valley.

Further in contrast, claims 5, 22, 50, 54, 65 and 83 recite, in part, at least two layers of tufted material (claims 5, 22, 50, 54), at least two tufted layers (claim 83), or two layers of tufted material (claim 65) having tufts or projections, wherein each tuft (claim 22) or projection (claims 5, 50, 54, 65 and 83) is surrounded by a valley.

Applicant cannot find, in Raidel, a projection or tuft of any type, wherein a valley surrounds each projection or tuft as recited in the claims.

Raidel does not anticipate the claims, as amended. Applicant respectfully submits that claims 1, 5, 16, 22, 50, 54 and 65 and 83 are allowable in their present form. Since claims 6, 7

and 11-15 depend from and further define claim 5; claim 33, 63 and 79 depend from and further define claim 22; claims 51-53 and 80 depend from and further define claim 50; claims 57, 59 and 81 depend from and further define claim 54; claims 66-67, 71 and 72 depend from and further define claim 65; and claims 84-86 depend from and further define claim 83, these claims are also believed to be allowable in their present form. Notification to this effect is respectfully requested.

Claims 1, 3-8, 11, 16, 20-26, 33, 60-63, 65-68, 71-76, 79 and 82-86

Claims 1, 3-8, 11, 16, 20-26, 33, 60-63, 65-68, 71-76, 79 and 82-86 were rejected under 35 U.S.C. § 102(b) for anticipation by Lloyd et al. (US 4,600,620). Claims 73-76 and 82 have been canceled, thus rendering the rejection moot as to these claims.

Notwithstanding the amendment to the claims, Applicant respectfully traverses the rejection and submits that *prima facie* anticipation has not been established.

The Office Action asserts that Lloyd teaches various elements of the claims.

Lloyd discusses an article containing a single non-tufted inner layer which is a porous polymer 10 such as a high void volume polystyrene. This single non-tufted inner layer is located between upper and lower substrates having a core. The upper and lower substrates can further each have a layer 5 on their outer sides. Therefore, Applicant traverses the suggestion by the Examiner that the layers of Lloyd can be equated to the layers of Applicant's invention as recited in claims 5, 22, 65 and 83, as these claims are drawn to a laminate or absorbent sheet having at least two layers of tufted material as recited in claims 5 and 22 or at least two tufted layers as recited in claim 83 or two layers of tufted material as recited in claim 65.

However, even if it is assumed that the upper and lower substrates, 2 and 3, respectively are "inner layers" which form bi-layers with outer side layers 5, as asserted on page 6 of the Office Action, i.e., that Lloyd has two bi-layers, this is in contrast to claim 1, as amended, which recites only one bi-layer.

The Office Action asserts on page 6 that the two bi-layers form an "internally tufted" configuration. However, Applicant respectfully states that Lloyd is not directed to an internally tufted article since the single inner layer 10 has no tufts. This is in contrast to the one inner layer of tufted material located between at least two outer layers as recited in claim 1, as amended, and

the inner layer of tufted meltblown material (surrounded by at least two coform outer layers) as recited in claim 16, as amended.

Applicant is also unable to find, in Lloyd a teaching or disclosure wherein valleys form a void volume between two outer coform layers as in claim 16, as amended. Applicant is also unable to find, in Lloyd a teaching or disclosure wherein opposing valleys form a void volume between the at least two layers of tufted material (claims 5, 22, 50, 54), the at least two tufted layers (claim 83), or between the two layers of tufted material (claim 65). With respect to claims 79 and 82-86 in particular (claim 82 now canceled), the Examiner acknowledges on pages 8 and 9 of the Office Action that the entire area between the opposing “valleys” in Lloyd is not a void.

As to the recitation of “personal care” in claim 25, this term is being used as an adjective and is understood in the art to be descriptive of an article having a particular type of construction. In this instance the article is a personal care wet wipe intended to meet particular softness and texture requirements. (See, for example, the specification at page 1, line 24 through page 2, line 6). This is to be distinguished from articles which are not personal care articles, such as the wipes described in Lloyd. The article in Lloyd has a particular construction making it “an article suitable for wiping surfaces” and further having a particular surface construction giving special advantage in the wiping of hard glossy surfaces. (See title of Lloyd and Lloyd at col. 1, lines 1-16 and claim 1).

As to dependent claims 3-4, 6-8, 11, 20, 21, 23-26, 33, 60-63, 66-68, 71, 72, 79 and 86, Applicant submits that each recites elements beyond that of the base claim from which each depends, and therefore, each of those dependent claims is believed to be allowable.

For at least these reasons, Applicant respectfully submits that Lloyd does not anticipate the claims, as amended. Reconsideration and allowance of claims 1, 3-8, 11, 16, 20-26, 33, 60-63, 65-68, 71, 72, 79 and 83-86 is respectfully requested.

Claims 1, 3-11, 16, 20-23, 25-26 and 65-78

Claims 1, 3-11, 16, 20-23, 25-26 and 65-78 were rejected under 35 U.S.C. § 102(e) for anticipation by Curro et al. (US 6,808,791). Claims 1, 3, 4, 16 and 20-21 have been canceled thus rendering the rejection moot as to these claims. Claims 73-78 have been canceled, thus rendering this rejection moot as to these claims.

The Applicant does not admit that Curro is prior art and reserves the right to swear behind this reference at a later date. In addition, because the Applicant asserts that the Office has not shown that Curro discloses the identical invention as claimed, the Applicant respectfully traverses this rejection of the claims.

Notwithstanding the amendments to the claims, Applicant respectfully traverses the rejection and submits that *prima facie* anticipation has not been established.

The Office Action asserts that Curro teaches various elements of the claims. The Office Action acknowledges that Curro contains three separate layers, including "a" (i.e., one) central layer 30 between the two outer layers. Applicant traverses the assertion that Curro teaches an "internally tufted material" as recited in the claims. Applicant further traverses the assertion that the added liquid claimed by Applicant can be equated with body liquids added to the article during use. See also, Ex parte Masham, 2 USPQ2d 1647 (1987).

Curro discusses a laminate web having a first outer layer 20, a second outer layer 40 and a single inner "third central layer" 30 located between the first outer layer 20 and the second outer layer 40. The nonwoven web outer layers may be elastic and may further be a multilayer material.

In contrast, claim 1, as amended, recites, in part, one bi-layer, which is comprised of one inner layer of tufted material and one of the at least two outer layers of nonwoven material.

Applicant is also unable to find, in Curro, a teaching or disclosure wherein valleys form a void volume between two outer coform layers as in claim 16, as amended. Applicant is also unable to find, in Curro, a teaching or disclosure wherein opposing valleys form a void volume between the at least two layers of tufted material (claims 5, 22, 50, 54), the at least two tufted layers (claim 83), or between the two layers of tufted material (claim 65). Applicant is also unable to find, in Curro, an added liquid to provide suitable wiping properties, as recited in claims 22 and 54.

As to the recitation of "wire tufted" in claim 9, Applicant restates the arguments presented earlier in the course of this prosecution, including in the Amendment and Response mailed on November 10, 2003 (hereinafter "11/10/2003 Response"), i.e., "Although it is true that the tufts in Applicant's invention are formed with a wire, the phrase "wire-tufted" is used herein as an adjective to the word "laminates" to describe the article itself. Those skilled in the art

understand that other types of protrusions are also possible, such as the "retraction-type" gathers of Lange. (A "retraction-type" gather results when an elastomer core retracts after lamination, and attached non-elastic facings are thereby caused to gather into a series of peaks and valleys)." See page 10 of 11/10/2003 Response.

As to dependent claims 3, 4, 6-11, 20, 21, 23, 25, 26, and 66-71, Applicant submits that each recites elements beyond that of the base claim from which each depends, and therefore, each of those dependent claims is believed to be allowable.

For at least these reasons, Applicant respectfully submits that Curro does not anticipate the claims, as amended. Reconsideration and allowance of claims 1, 3-11,16, 20-23, 25-26 and 65-71 is respectfully requested.

§102/103 Rejection of the Claims

Claims 87-90 (Raidel)

Claims 87-90 were rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as being unpatentable over Raidel et al (WO 96/00625). This rejection is respectfully traversed.

The Office Action states that Raidel teaches various elements of the claims. Applicant again traverses the characterization of Raidel, including the suggestion that the added liquid in claim 89 is intended to refer to body liquid added during use.

The Office Action has failed to establish a *prima facie* case. Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *In re Dillon* 919 F.2d 688, 16 USPQ 2d 1897, 1908 (Fed. Cir. 1990) (en banc), cert. denied, 500 U.S. 904 (1991).

Applicant also respectfully traverses the single reference rejection under 35 U.S.C. § 103 since not all of the recited elements of the claims are found in Raidel. Since all the elements of the claim are not found in the reference, Applicant assumes that the Examiner is taking official notice of the missing elements. Applicant respectfully objects to the taking of official notice with a single reference obviousness rejection and, pursuant to MPEP 2144.03, Applicant respectfully traverses the assertion of Official Notice and requests that the Examiner cite references in support of this position.

The teachings of Raidel have been discussed herein. Raidel discusses pleats.

In contrast, claim 87, as amended, recites a nonwoven laminate comprising an internally tufted laminate having at least two layers of tufted material, each of the at least two layers having projections oriented inwardly, the projections surrounded by valleys, wherein opposing valleys form a void volume between the at least two layers and the projections are formed by being pulled through a porous forming surface.

Raidel does not teach each element of claim 87 because it at least does not teach projections surrounded by valleys.

Raidel does not anticipate the claims, as amended. The claims are also not unpatentable over Raidel under 35 U.S.C. § 103.

Applicant also notes that a product-by-process claim, which is a product claim that defines the claimed product in terms of the process by which it is made, is proper. See MPEP 2173.05(p) I, citing In re Luck, 476 F.2d650, 177 USPQ 523 (CCPA 1973); In re Pilkington, 411 F.2d 1345, 162 USPQ 145 (CCPA 1969); and In re Steppan, 394 F.2d 1013, 156 USPQ 143 (CCPA 1967). The numerous unobvious differences between the composite of each of the references, including Raidel and Applicant's product have been discussed herein. The manufacturing process step of "wherein the projections are formed by being pulled through a porous forming surface" recited in claim 87, as amended, imparts distinctive structural characteristics to the final product as discussed herein, therefore the structure implied by the process steps should be considered when assessing the patentability of product-by-process claims. See MPEP 2113 citing In re Garnero, 412 F.2d276, 279, 162 UPSQ 221, 223 (CCPA 1979). See also In re Luck, *supra*, which states, ". . .it is well established that product claims may include process steps to wholly or partially define the claimed product. . . To the extent these process limitations distinguish the *product* over the prior art, they must be given the same consideration as traditional product characteristics. Id. at 525. Applicant respectfully requests the Examiner to give patentable weight to the recited process step of claim 87 as required.

Applicant respectfully submits that claim 87, and claims 88-90 which depend therefrom, are allowable in their present form and notification to that effect is respectfully requested.

Claims 87-90 (Lloyd)

Claims 87-90 were rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as being unpatentable over Lloyd et al. (US 4,600,620). This rejection is respectfully traversed.

The Office Action states that Lloyd teaches various elements of the claims. Applicant again traverses the characterization of Lloyd.

The Office Action has failed to establish a *prima facie* case. Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *In re Dillon* 919 F.2d 688, 16 USPQ 2d 1897, 1908 (Fed. Cir. 1990) (en banc), cert. denied, 500 U.S. 904 (1991).

Applicant also respectfully traverses the single reference rejection under 35 U.S.C. § 103 since not all of the recited elements of the claims are found in Lloyd. Since all the elements of the claim are not found in the reference, Applicant assumes that the Examiner is taking official notice of the missing elements. Applicant respectfully objects to the taking of official notice with a single reference obviousness rejection and, pursuant to MPEP 2144.03, Applicant respectfully traverses the assertion of Official Notice and requests that the Examiner cite references in support of this position.

The teachings of Lloyd have been discussed herein. Lloyd discusses a material having a single inner non-tufted layer.

In contrast, claim 87, as amended, recites a nonwoven laminate comprising an internally tufted laminate having at least two layers of tufted material, each of the at least two layers having projections oriented inwardly, the projections surrounded by valleys, wherein opposing valleys form a void volume between the at least two layers and the projections are formed by being pulled through a porous forming surface.

Lloyd does not teach each element of claim 87 because it at least does not teach an internally tufted laminate having at least two layers of tufted material. Lloyd also does not teach a laminate wherein opposing valleys form a void volume between the at least two layers.

Lloyd does not anticipate the claims, as amended. The claims are also not unpatentable over Lloyd under 35 USC 103.

Applicant again notes that a product-by-process claim, which is a product claim that defines the claimed product in terms of the process by which it is made, is proper. See MPEP 2173.05(p) I. The numerous unobvious differences between the composite of each of the references, including Lloyd and Applicant's product have been discussed herein. The manufacturing process step of "wherein the projections are formed by being pulled through a porous forming surface" recited in claim 87, as amended, imparts distinctive structural characteristics to the final product, therefore the structure implied by the process steps should be considered when assessing the patentability of product-by-process claims. See MPEP 2113 citing *In re Garnero, supra*. See also *In re Luck, supra*, which states, ". . .it is well established that product claims may include process steps to wholly or partially define the claimed product. . . To the extent these process limitations distinguish the *product* over the prior art, they must be given the same consideration as traditional product characteristics. *Id.* at 525. Applicant respectfully requests the Examiner to give patentable weight to the recited process step of claim 87 as required.

Applicant respectfully submits that claim 87, and claims 88-90 which depend therefrom, are allowable in their present form and notification to that effect is respectfully requested.

§103 Rejection of the Claims

Claims 12-15, 28-31, 50-57 and 59 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lloyd et al. (US 4,600,620). This rejection is respectfully traversed.

The Office Action states that Lloyd teaches various elements of the claims. Applicant again traverses the characterization of Lloyd for all the reasons stated herein. Applicant traverses the additional assertions with respect to claims 12-15, 28-31, and 50-57 that the elements recited in these claims involve only routine skill in the art.

Applicant respectfully submits that the Office Action has not established the *prima facie* obviousness of the present claims. To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest

all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. MPEP 2142 (citing *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir. 1991)).

Applicant again respectfully traverses the single reference rejection under 35 U.S.C. § 103 for all the reasons stated above.

Furthermore, claims 12-15, 28-31, 51-53, 55-57 and 59 are dependent claims. The additional limitations provided in dependent claims cannot by themselves be rendered obvious over the cited references if the independent claim from which it depends is determined to be nonobvious.

Lloyd does not teach or suggest the claimed invention for all the reasons stated herein. Again, Lloyd has a single inner non-tufted layer. Independent claims 5, 22 and 54 each recite at least two layers of tufted material and claim 54 recites a plurality of individual tufts located on at least two layers of material. There is also no indication of the problems being solved by Applicant's invention.

An additional requirement of the *prima facie* case is that the *references must teach or suggest all the claim limitations*. Since all of the elements of the claims are not found in the references, Applicant assumes the Examiner is taking official notice of the missing elements from an undisclosed source. Applicant respectfully objects to the taking of official notice, and pursuant to MPEP 2144.03, Applicant traverses the assertion of official notice and requests that the Examiner cite a reference that teaches the missing element. If the Examiner cannot cite a reference that teaches the missing element, Applicant respectfully requests that the Examiner provide an affidavit that describes how the missing element is present in the prior art. If the Examiner cannot cite a reference or provide an affidavit, Applicant requests withdrawal of the rejection and reconsideration and allowance of the claims.

Applicant respectfully submits that independent claims 5, 22, 50 and 54, the claims which depend from them are patentably distinct from the cited reference. Claims 12-15, 28-31, 50-57 and 59, as amended, each viewed as a whole, are not suggested by the cited references and not obvious under 35 U.S.C. § 103(a). Reconsideration and withdrawal of this rejection is respectfully requested.

CONCLUSION

Applicant again respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. If a Notice of Allowance is not forthcoming, Applicant urges the Examiner to contact Applicant's attorney at 515-233-3865 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

THOMAS J. KOPACZ ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
515-233-3865

Date MARCH 14 2006

By


Barbara J. Clark
Reg. No. 38,107

14 th

Date of Deposit: March 13, 2006

This paper or fee is being filed on the date indicated above using the USPTO's electronic filing system EFS-Web, and is addressed to: The Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

CANDIS BUENDING

Name

Signature

